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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/522,489	03/10/2000	Takeo Kawaguchi	594.349US01	5446

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EXAMINER

RUDDOCK, ULA CORINNA

ART UNIT	PAPER NUMBER
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1771

DATE MAILED: 11/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/522,489

Applicant(s)
Kawaguchi et al.

Examiner
Ula Corinna Ruddock

Art Unit
1771



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/20/02 and 9/6/02.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-9 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ | 6) <input type="checkbox"/> Other: |

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DETAILED ACTION

1. The Examiner has carefully considered Applicant's amendment and accompanying remarks filed June 20, 2002, and September 6, 2002. The rejections in view of JP 58004248 and JP 08203455 have been overcome. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1 and 3-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is considered indefinite because it is unclear to the Examiner what is being claimed. Is Applicant claiming an adhesive mesh tape or a clamped adhesive mesh tape? Clarification is required. The dependent claims are rejected as being dependent upon a rejected base claim.

Claim Rejections - 35 USC § 103

4. Claims 1 and 3-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawaguchi et al. (US 5,478,639). Kawaguchi et al. disclose an adhesive tape for preventing implosion of a CRT is provided. The tape includes a backing, a pressure sensitive adhesive layer

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on one side of the backing and a hot melt adhesive layer on the opposite side of the backing (abstract). The wefts of the backing comprise glass filament yarns (col 2, ln 10-12). The warps are preferably made of a black colored natural or synthetic fiber yarns (col 3, ln 45-46). The adhesive tape has a compression rupture strength of at least 5 kgf/cm (col 2, ln 18-19). The glass filaments yarns in the tape have a fines of 25 denier to 500 denier and a density of 10 to 50 yarns per 25 mm for both the warps and wefts (col 4, ln 2-3 and ln 13-16). The amount of hot melt adhesive layer is generally 10 to 100 g/m², preferably 30 to 70 g/m² (col 5, ln 63-65). It should be noted that Figures 7-9 define open spaces between the yarns.

Kawaguchi et al. disclose the claimed invention except for the teaching that the total volume of the hot melt resin and pressure sensitive adhesive is less than the volume of the open space of the fabric and more specifically that the pressure sensitive adhesive is not more than three fourths or half of the volume of the open space of the fabric . It would have been obvious to one having ordinary skill in the art to have made the total volume of the hot melt resin and pressure sensitive adhesive be less than the volume of the open space of the fabric and more specifically that the pressure sensitive adhesive be not more than three fourths or half of the volume of the open space of the fabric motivated by the desire to obtain a tape that uses less adhesive resulting in cheaper manufacturing costs and having a higher bonding strength.

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Response to Arguments

5. Applicant's arguments filed June 20, 2002, and September 6, 2002, have been fully considered but they are not persuasive for the reasons set forth. Applicant argues that Kawaguchi et al. disclose a value of pressure-sensitive adhesive and hot-melt adhesive which more than fills any space that there might be between fabric yarns. This argument is not persuasive, because at column 6, line 1-7, Kawaguchi et al. disclose that the adhesive can be coated on the backing by a dip coater. This method would make the coating adhere only to the yarn and therefore, open spaces would exist between the fabric yarns. As a result, it would be obvious to optimize the amount of adhesive present in the mesh tape.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

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calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ula C. Ruddock whose telephone number is (703) 305-0066. The Examiner can normally be reached Monday through Thursday from 6:30 AM to 5 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor Terrel Morris can be reached at (703) 308-2414.

Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 308-2351.

UCH
Ula C. Ruddock
Patent Examiner
Art Unit 1771
November 18, 2002

Elizabeth M. Cole
ELIZABETH M. COLE
PRIMARY EXAMINER